

1 TO CT
ORIGINAL
13
PL
2/

Michael L. Etter, pro se
Inmate No. AT1195
SCI Albion
10745, Route 18
Albion, Pennsylvania 16475-0002

IN THE UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

FILED
HARRISBURG, PA

FEB 12 2001

MARY E. DIANDREA, CLERK
By: [Signature] Deputy Clerk

MICHAEL LEE ETTER,
Plaintiff

v.

RICKI J. SHADDAY, et. als.,
Defendants

:
:
:
:
:
:
NO. 1:cv-00-2147
:
:
JUDGE CALDWELL

MOTION FOR EXEMPTION FROM THE PRISON LITIGATION REFORM
ACT IN FORMA PAUPERIS FEES AND COSTS

NOW COMES, Michael Lee Etter, above named plaintiff, pro se, who hereby respectfully request this Honorable Court to issue an order which stops withdrawals from his prison account to pay the filing fees in the above captioned case. In support of this request plaintiff submits;

1. The clear import of the Prison Litigation Reform Act, (PLRA) as reflected by its title, is to curtail meritless prison litigation.

2. The instant case, albeit a civil action brought by an incarcerated individual, does not fall within the parameters of the PLRA because; [1] it is not a challenge to the conditions of confinement; [2] the named defendants are not prison officials, employees, or otherwise affiliated with the Department of Corrections.

Etter v. Shadday, et. als.
Motion For Exemption

Page 2

3. Plaintiff will be released from custody on May 22, 2001, and understands that he has a continuing obligation to inform the courts of changes in his financial situation.

4. Plaintiff is without funds to pay the costs of litigation in this case at the present time due to his incarceration.

5. This Motion is supported by an attached Brief.

WHEREFORE, Plaintiff respectfully request this Honorable Court to issue an Order which stops withdrawals from his prison account, relative to the PLRA, to pay the filing fees in the above captioned case.

Respectfully submitted,

Date: 2-7-01

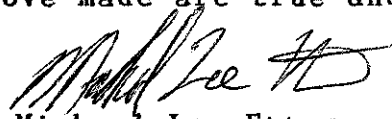


Michael Lee Etter, pro se

DECLARATION

I, Michael Lee Etter, swear or affirm under the penalty of perjury that all statements above made are true and correct.

2-7-01



Michael Lee Etter, pro se